

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF PENNSYLVANIA – PITTSBURGH DIVISION**

WILLIAM E. EIKEY and CHERYL EIKEY,
husband and wife,

Plaintiffs,

v.

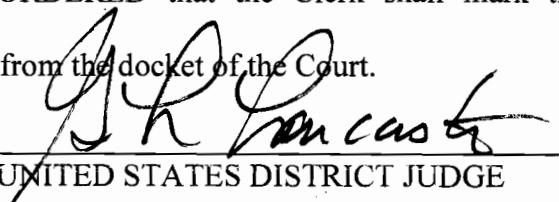
EMERALD COAL RESOURCES, L.P., f/k/a RAG
EMERALD RESOURCES, L.P., and
PENNSYLVANIA LAND HOLDINGS
CORPORATION, collectively, t/d/b/a EMERALD
MINE,

Defendants.

PROPOSED ORDER

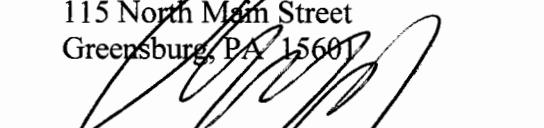
AND NOW, this 28 day of Sept, 2007, the parties by and
through their counsel, Michael Dematt, Esquire for the plaintiffs, and Avrum Levicoff, Esquire
for the defendants, have advised the Court that the judgment heretofore entered in this matter
upon acceptance of an Offer of Judgment pursuant to Rule 68, Federal Rules of Civil Procedure,
and all interest accrued thereon, has been paid in full.

NOW, THEREFORE, it is hereby ORDERED that the Clerk shall mark the said
judgment “satisfied”, and extinguish the same from the docket of the Court.


UNITED STATES DISTRICT JUDGE

CONSENTED TO:


Michael DeMatt, Esquire
Berk Whitehead Kerr & Turin, P.C.
115 North Main Street
Greensburg, PA 15601


Avrum Levicoff, Esquire
Levicoff, Silko & Deemer, P.C.
Suite 1900 Centre City Tower
650 Smithfield Street
Pittsburgh, PA 15222